

**Palm Bay Police Department
Response to Resistance Form**

Supervisor's Narrative: Include (1) general circumstances, (2) specific resistance encountered, (3) control techniques used, (4) extent of injuries incurred, (5) who incurred and inflicted the injuries, (6) statement of witnesses, (7) supervisor's endorsement, if applicable, (8) a statement indicating whether the force used was in accordance with policy

1) Patrol responded to the location in reference to a 911 call from the victim. Victim said husband had a gun and was trying to get into the bathroom where the victim had barricaded herself. Victim told 911 husband would have a shootout with police. Prior to police arrival, victim and 911 lost connection. After numerous negative attempts to make contact via phone and PA, Lt. Landers requested SWAT. Once SWAT was on scene, a front window was broke out to get a visual of inside. Nothing seen and no contact was made with anyone. After a period of time, the BCSO Robot arrived and SWAT breached the front door for the Robot to make entry. At that time, the victim called out for help and that she had been shot. After brief conversations with the victim and the suspect, it was evident the victim was in a life threatening condition with multiple gun shot wounds. Both the suspect and the victim verbally confirmed the suspect was armed and they were located in the bathroom. The suspect verbally refused to surrender. A hostage rescue was conducted.

2) Upon visual of the suspect, he was armed with a handgun.

3) Sgt. Ribnicky used deadly force by shooting the suspect to prevent further harm to the victim and himself.

4) Suspect received life threatening injuries and was pronounced deceased on scene

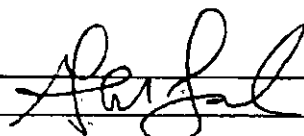
5) Sgt. Ribnicky inflicted the injuries and the suspect received them

6) Statements obtained by FDLE.

7) See FDLE report.

8) See FDLE report

Reporting Supervisor's Signature



ID#

44

City ID#:

5627

Date:

9-20-16

Based upon the available information, the officers' actions appear to be _____ with the current directives and training guidelines of the department. If the actions do not appear to be in compliance, attach an explanation to this form.

Watch Commander Signature:

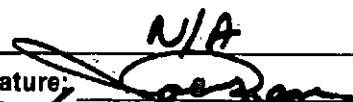
N/A

ID#

City ID#:

Date:

Div. Commander/Deputy Chief Signature:



ID#

City ID#:

5389

Date:

9/20/2016

Internal Affairs Signature



ID#

City ID#:

3242

Date:

9/21/16

Original to Internal Affairs thru the Division Commander.



Palm Bay Police Department
Response to Resistance Form

GO 201

DR#: 16-006701

Date: 8-2-16

Time: 1917 hrs

Officer: Sgt. Ribnick

ID#: 142

Location of Incident: 1781 Lockheed St SE

Subject's Name Demarco Newman

Offense/Charge Attempted Murder

DOB: 7-27-73

Age: 43

Race: B

Sex: M

Subject's Observed or Reported Factors Prior to Incident (Explain in Narrative)

- ☐ Prior Injuries ☐ Drug Influence ☐ Alcohol Influence ☐ Mental Condition or Demeanor ☒ History of Being Armed
☐ Prior Combative Behavior w/Police ☒ Verbalized Threats Against Officers ☐ Unknown

Officer's Purpose Prior to Use of Control Measures:

- ☒ Arrest ☒ Prevent Escape ☐ Safety of Subject ☒ Defend Officer ☒ Defend Other Person ☒ Prevent Crime
☐ Prevent Crime ☐ Marchman Act ☐ Protective Custody ☐ Other

Additional Threat Elements

Subject Armed? Yes If yes, type weapon Handgun

- ☒ Severity of crime ☐ Suspect tactical knowledge ☒ Suspect attacked officer/dog ☐ Multiple suspects
☒ Suspect barricaded ☐ Suspect furtive movement ☒ Potential for hostages ☐ Search risk (woods/darkness/etc)
☒ Suspect refuses to comply with commands ☐ Suspect sudden escape behavior ☒ Potential for suspect to return to harm victim
☒ Suspect poses imminent threat to officers/others ☐ Suspect evading police by fleeing or hiding

Did Officer Verbally Direct Subject? Yes If no, explain:

Subject's Resistance

- ☐ Passive Physical Subject physically refuses to comply or respond
☐ Subject does not make any attempt to physically defeat the actions of the officer, but, forces the officer to use physical control

- ☐ Active Physical Subject makes physically evasive movements, such as bracing, tensing, pushing, or pulling away from the officer in an effort to defeat the officer's attempt at control

- ☐ Aggressive Physical Subject makes overt, hostile, attacking movements, which might cause injury, but are not likely to cause death or great bodily harm

- ☒ Deadly Force Subject makes overt, hostile, attacking movements with or without a weapon with the intent and apparent ability to cause death or great bodily harm

Officer's Response

- ☐ Transporter ☐ Chemical Agent

- ☐ Pain Compliance ☐ Take Downs

- ☐ Countermoves ☐ T A R P

Taser Deployed Cartridge#

Location on Body

- ☐ Impact Device

- ☒ Deadly Force

Other

Describe injuries observed or reported as a result of the control measures Gunshot wounds to the chest and head

If Yes, Describe

Medical Treatment? Yes If Yes, Describe: was assessed by SWAT medics and pronounced deceased

Officer Witnesses List Officers who were present, injured, or used force:

Officer Caswell

ID# 202

City ID# 1112

Describe Injury or Force Used None just present

- ☐ Injured ☐ Used Force

Officer Lt Latulippe

ID# 44

City ID# 5627

Describe Injury or Force Used None just present

- ☐ Injured ☐ Used Force

Officer:

ID#:

City ID#:

Describe Injury or Force Used

- ☐ Injured ☐ Used Force

Citizen Witnesses

Name: Amy Jones (Victim)

Address 1781 Lockheed St SE

Phone unk

Name:

Address

Phone

Name

Address

Phone

Reporting Officer Signature: *[Signature]*

ID#:

City ID#:

Explain actions of subjects and members in detail in narratives and supplements All involved members will submit supplemental reports describing, in detail, their actions and those of the subject(s)

Revised: 07/19/16